

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TIMOTHY N. JOYNES,

Plaintiff,

v.

C. A. No. 05-CV332 GMS

VINCENT P. MACCONI;
CHARLES E. HAYWARD;
MARTHA SACKOVICH;
MARY ANN HERLIHY;
JAY H. CONNER;
CHRISTOPHER SPIZZIRRI;
STEPHANIE FITZGERALD;
FAMILY COURT OF THE STATE OF DE;
DELAWARE DEPARTMENT OF
HEALTH AND SOCIAL SERVICES;
STATE OF DELAWARE DIVISION OF
CHILD SUPPORT ENFORCEMENT;
STATE OF DELAWARE DEPARTMENT
OF JUSTICE;
STATE OF DELAWARE JUDICIARY;
STATE OF DELAWARE;
VINCENT J. POPPITI;
PATRICIA BLEVINS;
ROBERT J. VALIHURA;
PETER S. FELICEANGELI;
ANDREW HAMAN;
JOELLE HITCH;
ANDREW T. HORSEY;
JANINE HOWARD;
ALISA MAWSON;
ELLEN MEYER;
ANDREW K. SOUTHMAYD;
MONA STEELE;
BARBARA E. CORROZI;
RUTH ANN MINNER;
DENISE LEWIS; and
CHRISTINE K. DEMSEY



**ANSWER WITH AFFIRMATIVE DEFENSES AND CROSSCLAIM
OF DEFENDANT, CHRISTINE K. DEMSEY TO PLAINTIFF'S COMPLAINT**

1. No responsive pleading is required.

2. The averment in paragraph 2 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

3. The averment in paragraph 3 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

4. The averment in paragraph 4 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

5. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 5 of Plaintiff's Complaint.

6. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 6 of Plaintiff's Complaint.

7. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 7 of Plaintiff's Complaint.

8. No responsive pleading is required.

9. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 9 of Plaintiff's Complaint.

10. The averment in paragraph 10 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

11. The averment in paragraph 11 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

12. The averment in paragraph 12 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

13. The averment in paragraph 13 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

14. The averment in paragraph 14 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

15. The averment in paragraph 15 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

16. The averment in paragraph 16 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

17. The averment in paragraph 17 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

18. The averment in paragraph 18 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

19. The averment in paragraph 19 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

20. The averment in paragraph 20 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

21. The averment in paragraph 21 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

22. The averment in paragraph 22 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

23. The averment in paragraph 23 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

24. The averment in paragraph 24 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

25. The averment in paragraph 25 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

26. First sentence admitted, remaining averment denied.

27. Denied.

28. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 28 of Plaintiff's Complaint.

29. Denied.

30. Denied.

31. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 31 of Plaintiff's Complaint.

32. No responsive pleading is required.

33. No responsive pleading is required.

34. No responsive pleading is required.

35. No responsive pleading is required.

36. No responsive pleading is required.

37. No responsive pleading is required.

38. No responsive pleading is required.

39. No responsive pleading is required.

40. The averment in paragraph 40 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

41. No responsive pleading is required.

42. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 42 of Plaintiff's Complaint.

43. No responsive pleading is required.

44. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 44 of Plaintiff's Complaint.

45. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 45 of Plaintiff's Complaint.

46. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 46 of Plaintiff's Complaint.

47. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 47 of Plaintiff's Complaint.

48. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 48 of Plaintiff's Complaint.

49. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 49 of Plaintiff's Complaint.

50. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 50 of Plaintiff's Complaint.

51. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 51 of Plaintiff's Complaint.

52. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 52 of Plaintiff's Complaint.

53. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 53 of Plaintiff's Complaint.

54. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 54 of Plaintiff's Complaint.

55. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 55 of Plaintiff's Complaint.

56. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 56 of Plaintiff's Complaint.

57. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 57 of Plaintiff's Complaint.

58. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 58 of Plaintiff's Complaint.

59. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 59 of Plaintiff's Complaint.

60. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 60 of Plaintiff's Complaint.

61. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 61 of Plaintiff's Complaint.

62. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 62 of Plaintiff's Complaint.

63. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 63 of Plaintiff's Complaint.

64. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 64 of Plaintiff's Complaint.

65. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 65 of Plaintiff's Complaint.

66. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 66 of Plaintiff's Complaint.

67. Denied.

68. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 68 of Plaintiff's Complaint.

69. No responsive pleading is required.

70. No responsive pleading is required.

71. No responsive pleading is required.

72. Denied. Petitioner misquoted the Rule. It states "An answer shall be required in all civil actions except that, Rule 12 notwithstanding, an answer shall not be required to those petitions in which child support is the sole issue."

73. No responsive pleading is required.

74. Denied.

75. No responsive pleading is required.

76. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 76 of Plaintiff's Complaint.

77. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 77 of Plaintiff's Complaint.

78. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 78 of Plaintiff's Complaint.

79. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 79 of Plaintiff's Complaint.

80. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 80 of Plaintiff's Complaint.

81. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 81 of Plaintiff's Complaint.

82. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 82 of Plaintiff's Complaint.

83. Admitted.

84. Admitted.

85. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 85 of Plaintiff's Complaint.

86. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 86 of Plaintiff's Complaint.

87. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 87 of Plaintiff's Complaint.

88. No responsive pleading is required.

89. No responsive pleading is required.

90. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 90 of Plaintiff's Complaint.

91. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 91 of Plaintiff's Complaint.

92. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 92 of Plaintiff's Complaint.

93. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 93 of Plaintiff's Complaint.

94. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 94 of Plaintiff's Complaint.

95. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 95 of Plaintiff's Complaint.

96. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 96 of Plaintiff's Complaint.

97. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 97 of Plaintiff's Complaint.

98. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 98 of Plaintiff's Complaint.

99. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 99 of Plaintiff's Complaint.

100. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 100 of Plaintiff's Complaint.

101. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 101 of Plaintiff's Complaint.

102. No responsive pleading is required.

103. Denied.

104. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 104 of Plaintiff's Complaint.

105. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 105 of Plaintiff's Complaint.

106. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 106 of Plaintiff's Complaint.

107. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 107 of Plaintiff's Complaint.

108. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 108 of Plaintiff's Complaint.

109. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 109 of Plaintiff's Complaint.

110. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 110 of Plaintiff's Complaint.

111. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 111 of Plaintiff's Complaint.

112. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 112 of Plaintiff's Complaint.

113. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 113 of Plaintiff's Complaint.

114. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 114 of Plaintiff's Complaint.

115. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 115 of Plaintiff's Complaint.

116. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 116 of Plaintiff's Complaint.

117. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 117 of Plaintiff's Complaint.

118. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 118 of Plaintiff's Complaint.

119. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 119 of Plaintiff's Complaint.

120. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 120 of Plaintiff's Complaint.

121. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 121 of Plaintiff's Complaint.

122. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 122 of Plaintiff's Complaint.

123. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 123 of Plaintiff's Complaint.

124. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 124 of Plaintiff's Complaint.

125. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 125 of Plaintiff's Complaint as Answering Defendant was not present during this alleged discussion.

126. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 126 of Plaintiff's Complaint.

127. Denied, as Answering Defendant has no memory of this statement.

128. Answering Defendant cannot either admit or deny.

129. Denied.

130. Answering Defendant cannot either admit or deny.

131. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 131 of Plaintiff's Complaint.

132. Denied.

133. First sentence admitted, remaining averment denied.

134. Denied.

135. Denied.

136. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 136 of Plaintiff's Complaint.

137. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 137 of Plaintiff's Complaint.

138. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 138 of Plaintiff's Complaint.

139. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 139 of Plaintiff's Complaint.

140. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 140 of Plaintiff's Complaint.

141. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 141 of Plaintiff's Complaint.

142. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 142 of Plaintiff's Complaint.

143. No responsive pleading is required.

144. No responsive pleading is required.

145. No responsive pleading is required.

146. No responsive pleading is required.

147. No responsive pleading is required.

148. No responsive pleading is required.

149. No responsive pleading is required.

150. No responsive pleading is required.

151. No responsive pleading is required.

152. As to paragraph 152 of Plaintiff's Complaint directed at parties other than the Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

153. As to paragraph 153 of Plaintiff's Complaint directed at parties other than the Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

154. No responsive pleading is required.

155. As to paragraph 155 of Plaintiff's Complaint directed at parties other than the Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

156. No responsive pleading is required.

157. No responsive pleading is required.

158. No responsive pleading is required.

159. No responsive pleading is required.

160. No responsive pleading is required.

161. No responsive pleading is required.

162. No responsive pleading is required.

163. No responsive pleading is required.

164. No responsive pleading is required.

165. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 165 of Plaintiff's Complaint.

166. No responsive pleading is required.

167. No responsive pleading is required.

168. No responsive pleading is required.

169. The averment in paragraph 169 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

170. The averment in paragraph 170 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

171. The averment in paragraph 171 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

172. The averment in paragraph 172 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

173. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 173 of Plaintiff's Complaint.

174. The averment in paragraph 174 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

175. The averment in paragraph 175 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

176. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 176 of Plaintiff's Complaint.

177. The averment in paragraph 177 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

178. The averment in paragraph 178 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

179. Denied.

180. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 180 of Plaintiff's Complaint.

181. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 181 of Plaintiff's Complaint.

182. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 182 of Plaintiff's Complaint.

183. Denied.

184. The averment in paragraph 184 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

185. The averment in paragraph 185 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

186. The averment in paragraph 186 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

187. Denied.

188. The averment in paragraph 188 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

189. The averment in paragraph 189 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

190. The averment in paragraph 190 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

191. The averment in paragraph 191 is not directed to Answering Defendant, and therefore, no response on behalf of Answering Defendant to this averment is required.

192. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 192 of Plaintiff's Complaint.

193. No responsive pleading is required.

194. No responsive pleading is required.

195. No responsive pleading is required.

196. No responsive pleading is required.

197. No responsive pleading is required.

198. No responsive pleading is required.

199. Denied.

200. Denied.

201. No responsive pleading is required.

202. No responsive pleading is required.

203. Denied.

204. No responsive pleading is required.

205. Denied.

206. No responsive pleading is required.

207. No responsive pleading is required.

208. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 208 of Plaintiff's Complaint.

209. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 209 of Plaintiff's Complaint.

210. No responsive pleading is required.

211. No responsive pleading is required.

212. No responsive pleading is required.

213. No responsive pleading is required.

214. No responsive pleading is required.

215. No responsive pleading is required.

216. No responsive pleading is required.

217. No responsive pleading is required.

218. No responsive pleading is required.

219. No responsive pleading is required.

220. No responsive pleading is required.

221. No responsive pleading is required.

222. No responsive pleading is required.

223. No responsive pleading is required.

224. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 224 of Plaintiff's Complaint.

224. (2). No responsive pleading is required.

224. (3) No responsive pleading is required.

225. As to paragraph 225 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

226. No responsive pleading is required.

227. As to paragraph 227 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

228. As to paragraph 228 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

229. No responsive pleading is required.

230. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 230 of Plaintiff's Complaint.

231. As to paragraph 231 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

232. No responsive pleading is required.

233. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 233 of Plaintiff's Complaint.

234. As to paragraph 234 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

235. As to paragraph 235 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

236. No response pleading is required.

237. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 237 of Plaintiff's Complaint.

238. As to paragraph 238 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

239. No responsive pleading is required.

240. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 240 of Plaintiff's Complaint.

241. As to paragraph 241 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

242. No responsive pleading is required.

243. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 243 of Plaintiff's Complaint.

244. As to paragraph 244 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

245. No responsive pleading is required.

246. As to paragraph 246 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

247. As to paragraph 247 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

248. As to paragraph 248 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

249. As to paragraph 249 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

250. No responsive pleading is required.

251. As to paragraph 251 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

252. As to paragraph 252 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

253. As to paragraph 253 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

254. As to paragraph 254 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

255. As to paragraph 255 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

256. No responsive pleading is required.

257. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 257 of Plaintiff's Complaint.

258. As to paragraph 258 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

259. As to paragraph 259 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

260. No responsive pleading is required.

261. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 261 of Plaintiff's Complaint.

262. As to paragraph 262 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

263. As to paragraph 263 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

264. No responsive pleading is required.

265. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 265 of Plaintiff's Complaint.

266. As to paragraph 266 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

267. As to paragraph 267 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

MOTION TO ENLARGE ORIGINAL COMPLAINT
TO INCLUDE A CONSTITUTIONAL CHALLENGE

1. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 1 of Plaintiff's Complaint.

2. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 2 of Plaintiff's Complaint.

3. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 3 of Plaintiff's Complaint.

4. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 4 of Plaintiff's Complaint.

5. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 5 of Plaintiff's Complaint.

6. No responsive pleading is required.

7. The averment in paragraph 7 is not directed to Answering Defendant and therefore no response on behalf of Answering Defendant to this averment is required.

8. The averment in paragraph 8 is not directed to Answering Defendant and therefore no response on behalf of Answering Defendant to this averment is required.

9. No responsive pleading is required.

10. No responsive pleading is required.

11. No responsive pleading is required.

12. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 12 of Plaintiff's Complaint.

13. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 13 of Plaintiff's Complaint.

14. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 14 of Plaintiff's Complaint.

15. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 15 of Plaintiff's Complaint.

16. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 16 of Plaintiff's Complaint.

17. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 17 of Plaintiff's Complaint.

18. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 18 of Plaintiff's Complaint.

19. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 19 of Plaintiff's Complaint.

20. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 20 of Plaintiff's Complaint.

21. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 21 of Plaintiff's Complaint.

22. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 22 of Plaintiff's Complaint.

23. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 23 of Plaintiff's Complaint.

24. No responsive pleading is required.

25. No responsive pleading is required.

26. No responsive pleading is required.

27. No responsive pleading is required.

28. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 28 of Plaintiff's Complaint.

29. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 29 of Plaintiff's Complaint.

30. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 30 of Plaintiff's Complaint.

31. No responsive pleading is required.

32. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 32 of Plaintiff's Complaint.

33. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 33 of Plaintiff's Complaint.

34. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 34 of Plaintiff's Complaint.

35. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 35 of Plaintiff's Complaint.

36. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 36 of Plaintiff's Complaint.

37. No responsive pleading is required.

38. No responsive pleading is required.

39. No responsive pleading is required.

40. The averment in paragraph 40 is not directed to Answering Defendant and therefore no response on behalf of Answering Defendant to this averment is required.

41. The averment in paragraph 41 is not directed to Answering Defendant and therefore no response on behalf of Answering Defendant to this averment is required.

42. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 42 of Plaintiff's Complaint.

43. No responsive pleading is required.

44. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 44 of Plaintiff's Complaint.

45. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 45 of Plaintiff's Complaint.

46. The averment in paragraph 46 is not directed to Answering Defendant and therefore no response on behalf of Answering Defendant to this averment is required.

47. No responsive pleading is required.

48. No responsive pleading is required.

49. No responsive pleading is required.

50. As to paragraph 50 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

51. As to paragraph 51 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

52. As to paragraph 52 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

53. No responsive pleading is required.

54. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 54 of Plaintiff's Complaint.

55. No responsive pleading is required.

56. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 56 of Plaintiff's Complaint.

57. As to paragraph 57 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

58. No responsive pleading is required.

59. As to paragraph 59 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

60. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 60 of Plaintiff's Complaint.

61. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 61 of Plaintiff's Complaint.

62. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 62 of Plaintiff's Complaint.

63. Answering Defendant is without information or knowledge sufficient to enable her to form a belief as to the truth of the averment in paragraph 63 of Plaintiff's Complaint.

64. No responsive pleading is required.

65. As to paragraph 65 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

66. As to paragraph 66 of Plaintiff's Complaint directed at parties other than Answering Defendant, no response of the Answering Defendant is required. The Answering Defendant denies this averment.

67. No responsive pleading is required.

68. No responsive pleading is required.

69. No responsive pleading is required.

FIRST AFFIRMATIVE DEFENSE

Plaintiff's Complaint fails to state claims upon which relief can be granted against Answering Defendant.

SECOND AFFIRMATIVE DEFENSE

Plaintiff's Complaint fails to state with particularity the fraud and negligent based claims.

THIRD AFFIRMATIVE DEFENSE

Plaintiff's alleged harm was caused by parties over whom Answering Defendant had no control and for whom Answering Defendant is not responsible.

FOURTH AFFIRMATIVE DEFENSE

Alternatively, if Answering Defendant is found liable for damages, Answering Defendant is entitled to have her liability limited to her proportionate share and, if any liability is determined to be joint and several, then Answering Defendant is entitled to contribution and/or indemnity from other named Defendants and/or from other named Defendants.

FIFTH AFFIRMATIVE DEFENSE

If Plaintiff settles before any judgment is rendered, Answering Defendant is entitled to a set off or credit against any judgment in Plaintiff's favor.

SIXTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred by the Doctrine of Res Judica and/or Collateral Estoppel.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiff's request for punitive damages cannot be sustained because the applicable laws regarding the standards for determining liability for any amount of punitive damages failed to give Answering Defendant prior notice of the conduct for which punitive damages may be imposed and the severity of the penalty that may be imposed and are void for vagueness in violation of Answering Defendant's due process rights guaranteed by the Fifth and Fourteenth Amendments of the United States Constitution.

EIGHTH AFFIRMATIVE DEFENSE

Any conduct of Answering Defendant is privileged.

NINTH AFFIRMATIVE DEFENSE

Answering Defendant did not use the legal process with an improper or wrongful purpose.

TENTH AFFIRMATIVE DEFENSE

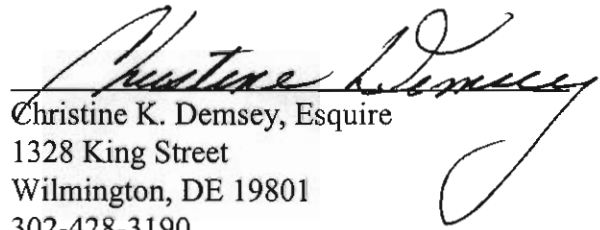
Answering Defendant committed no willful act in the use of the system not proper in the regular conduct of legal proceedings.

ELEVENTH AFFIRMATIVE DEFENSE

Plaintiff is not entitled to general, specific, actual, special, compensatory or punitive damages.

TWELFTH AFFIRMATIVE DEFENSE

Answering Defendant reserves the right to add additional affirmative defenses.


Christine K. Demsey, Esquire
1328 King Street
Wilmington, DE 19801
302-428-3190

Dated: December 12, 2005

AFFIDAVIT OF SERVICE

STATE OF DELAWARE)
) SS:
NEW CASTLE COUNTY)

BE IT REMEMBERED that on this day personally appeared before me, the Subscriber, a Notary Public for the State and County aforesaid, Teresa Borgia, did affirm that on this day she did personally place in the U.S. Mail, postage prepaid, a copy of the foregoing Answer with Affirmative Defenses and Crossclaim of Defendant, Christine K. Demsey to Plaintiff's Complaint to:

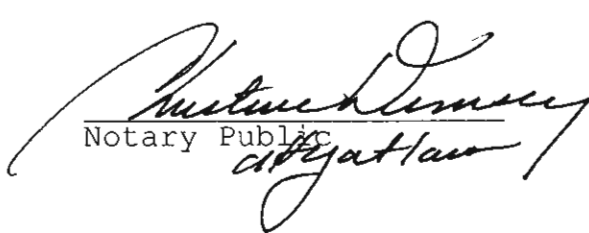
Timothy Joynes
55 W. Chestnut Hill Road, Apt. 5
Newark, DE 19713

State of Delaware
Department of Justice
Carvel State Office Building
820 N. French Street
Wilmington, DE 19801

Denise Lewis
84 Freedom Trail
New Castle, DE 19720


Teresa Borgia

 SWORN TO AND SUBSCRIBED before me, this 12th day of December 2005.


Notary Public